

BOARD OF SELECTMEN
Proctor School Library
Minutes of August 18, 2014

Chairman Dick Gandt called the meeting to order at 7:30PM. Board members present in addition to Chairman Dick Gandt, were Martha Morrison, Laura Powers, Steve Lais and Eldon Goodhue. Of the Selectmen's staff, Town Administrator Kellie Hebert and Board Secretary Donna Rich were in attendance. Other persons present during all or part of the meeting were Topsfield Cable operators, Baxter & Ben Demers, Tri-Town Transcript reporter Anna Burgess, Representative Brad Hill, Alfalfa Farm Winery owner Richard Adelman, Attorney Frank DiLuna, employee Trudi Perry, resident Boyd Jackson, Historical Society President Norm Isler and member Bill Whiting, Historic Society's Renovation Committee members Tim Coffin, George Anderson, Audrey Iarocci and Harry Reifel, and Alcohol Licensing Advisory Committee member Rob Hardy.

Chairman Gandt began the meeting with the Pledge of Allegiance and a moment of silence.

ANNOUNCEMENTS: Chairman Gandt announced that the Board would go into Executive Session at the end of regular session to discuss strategy for negotiations with respect to collective bargaining with the Full Time Firefighters, Call Firefighters, Full Time Police, AFSCME Highway/Water and the Park & Cemetery unions and will not return to Open Session. Chairman Gandt reported that the Board met in a Working Session on August 11th to discuss FY15 Goals and voted on the useful life for Quint Ladder as 20 years, Highway Dump Truck/Sander as 10 years and Fire Rescue Vehicle as 10 years. In addition Chairman Gandt reported that the Board has a site visit on August 14th at Alfalfa Farm. Selectman Powers announced that the Concerts on the Common would have *The Renowns* performing on August 24 and that the *Avocates* would perform on August 30, rescheduled from July.

Selectman Morrison announced to all gardeners that if they have extra produce they are encouraged to share it with the Topsfield Food Pantry. Vegetables can be dropped off in baskets located at the Emerson Center, Trinity Church and at the Council on Aging office at Town Hall.

APPOINTMENTS:

7:40PM - Funds in State Budget for Topsfield – Representative Brad Hill announced \$100,000 from the State FY15 budget had been earmarked for Topsfield for needed repairs to the Town Hall. In addition Representative Hill reported that \$200,000 has been placed in a bond bill which he anticipates will be approved in January after the new administration is in place.

Representative Hill also reviewed funding that has been included in a bond bill for the repaving of Route 97 and reviewed the status of the town's request for a special act authorizing the Board to issue up to eight alcohol pouring licenses.

7:51PM – Old School House – Committee spokesperson Tim Coffin reviewed with the Board the potential location of the school house, between Proctor School and Town Hall. Discussion surrounded the issue of the yearly maintenance costs as well as the potential uses and related infrastructure for the proposed building restoration/renovation.

8:16PM– Public Hearing of Alfalfa Farm Winery (continued) - Alfalfa Farm Winery owner Richard Adelman, Attorney Frank DiLuna and Trudi Perry came forward. Attorney DiLuna presented a letter, dated August 18, 2014, from Architect Ben Nutter stating the occupancy for the site, which was an area of concern for the Board. Trudi Perry offered three (3) scenarios of table configuration to the Board for consideration. There was a lengthy discussion relative to the parking area plan design, specifically the surface that would be used. Attorney DiLuna

requested a continuation of the hearing. Selectman Morrison motioned to continue the Public Hearing until September 8th at 8PM, seconded by Selectman Goodhue; so voted: 5-0.

GENERAL BUSINESS

Old Business

Fees for Alfalfa Farm: Selectman Goodhue requested that the Board revisit the license fee of \$1,200 that was voted on July 28th. Selectman Goodhue made a motion to amend the Alcohol Rules & Regulations License fee for Alfalfa Farm Winery from \$1,200 to \$500, hearing no second the motion was defeated. After some discussion, Attorney DiLuna respectfully requested that the Board consider revisiting the issue at a later meeting.

Pending Citizen Petition: Chairman Gandt reported that a citizen petition for a Special Town Meeting to remove the fluoride in the Town water supply had been received in the Town Clerk's office. The signatures are being certified and a date for the meeting is being finalized, noting it would have to be held before October 9th. Selectman Morrison noted to the listening residents what is entailed when a citizen petition for a Special Town Meeting is executed.

CITIZENS QUESTIONS & COMMENTS *none heard*

New Business

One Day Liquor License: Selectman Morrison made a motion to approve a One Day Liquor License to Farm Direct Co-Op Inc to host a Harvest Dinner Charity event to be held on September 14th at the Gould Barn between 4-8PM, seconded by Selectman Powers; so voted: 5-0.

Scleroderma Foundation Walk Request: Selectman Powers made a motion to approve the Scleroderma Foundation to hold its tenth (10th) Annual North Shore Stepping Out to Cure Scleroderma Walk on Sunday, September 14 beginning at 10AM with the route to be the same as previous years, seconded by Selectman Morrison; so voted: 5-0.

Fall Foliage Classic Road Race Request: Selectman Powers made a motion to approve the Fall Foliage Classic to hold its thirty-fourth (34th) Annual charity road race on Sunday, October 19 beginning at 8AM - 10AM with the route to be the same as previous years, seconded by Selectman Morrison; so voted: 5-0.

Fall Foliage Classic Banner Request: Selectman Powers made a motion to approve a banner to be placed between Town Hall and Proctor School from October 9th – 19th, seconded by Selectman Morrison; so voted: 5-0.

Topsfield Fire Department Banner Request for 2015: Selectman Powers made a motion to approve a banner to be placed between Town Hall and Proctor School for June 3-13, 2015 for the Topsfield Fire Department Pancake Breakfast to be held on June 13, 2015, seconded by Selectman Morrison; so voted: 5-0.

Vaccine Reimbursement: Selectman Morrison made a motion to approve Commonwealth Medicine to process Medicare Vaccine Reimbursement for Topsfield in FY15 and to withhold 10% of recovered reimbursements, seconded by Selectman Powers; so voted: 5-0.

Council on Aging Appointment: Selectman Powers made a motion to appoint Ruth Lucy to the Council on Aging for a term to end June 30, 2015, seconded by Selectman Morrison; so voted: 5-0.

Water Main Replacement: Selectman Morrison made a motion to award the contract for the Washington Street Water Main Replacement and Improvement Project to Joseph P. Cardillo & Son, Inc. of Wakefield, MA for a total contract price not to exceed \$1,049,430.69, seconded by Selectman Powers; so voted: 5-0.

Town Administrator's Report:

- FY15 Goals & Objective-suggested a follow-up working session to be scheduled, consensus was for August 28th at 4:30PM.
- Pay & Compensation Study-requested a placeholder for the September 22nd meeting. It was advised that the material be distributed to the Board a week prior to the meeting.
- A group of residents have volunteered to assist the Town Administrator in projects at Town Hall. The volunteers include: Boyd Jackson, Steve Hall, Gregor Smith and Michael Cunningham.
- Resident email regarding convenience fees associated with the payment of taxes online was discussed.

Minutes

Selectman Morrison made a motion to accept the minutes of the meetings of June 16, 19, and 30 and July 7, 14, 17 & 28 as written, seconded by Selectman Lais; so voted 5-0.

Selectman Powers made a motion to accept the Executive Session minutes of June 16, 19, 30 and July 14 & 17 as written and to hold until all matters have been resolved, seconded by Selectman Morrison; so voted 5-0.

Correspondence & Reports

Correspondence

Five letters were received noting the helpfulness of the Fire Department.

Martin Riekert submitted a letter of thanks for the welcoming citation he received.

William Niland has submitted a rebuttal to Willowdale Estate's last letter regarding the noise complaint at Willowdale Estate.

At 9:43PMPM, Selectmen Morrison made a motion to go into Executive Session to discuss strategy for negotiations with nonunion personnel and to discuss strategy with respect to collective bargaining with the Full Time Firefighters, Call Firefighters, Full Time Police, AFSCME Highway/Water & Park & Cemetery unions and will not return to Open Session, Selectman Powers seconded. In a roll call vote, a yes vote was recorded for Chairman Gandt, Selectman Morrison, Selectman Lais, Selectman Powers and Selectman Goodhue. The Board would not return to open session.

Respectfully submitted,

Donna Rich, Secretary
Selectmen's Office

Approved as amended at the September 8, 2014 Board of Selectmen's meeting.

Per the Open Meeting Law, the documents that were either distributed to the BOS before the meeting in a packet, or at the meeting were:

1. Agenda
2. Preliminary BOS Minutes – Regular Meetings of June 16 & 30 and July 28, with Executive Sessions, Working Sessions of June 19, July 7, 14 & 17.
3. Suggested fees for Alfalfa Farm Winery License.
4. One Day Liquor License request from Farm Direct Co-Op.

5. Scleroderma Foundation Walk Request.
6. Fall Foliage Classic Road Race Request & Banner Request.
7. Fire Department Banner Request.
8. Vaccine Reimbursement Permission Request.
9. Council on Aging Appointment Request.
10. Water Main Replacement Project Award of Contract Request.
11. Five letters of thanks to Topsfield Fire Department.
12. Letter of thanks from Martin Riekert.
13. Noise Complaint rebuttal from William Niland.
14. Information regarding FY15 State budget funding for \$100,000.
15. Old School House follow-up document.
16. Letter from Ben Nutter regarding occupancy at Alfalfa Farm Winery.
17. Seating configurations from Alfalfa Farm Winery.

Pursuant to the 'Open Meeting Law,' G.L. 39, § 23B, the approval of these minutes by the Board constitutes a certification of the date, time and place of the meeting, the members present and absent, and the actions taken at the meeting. Any other description of statements made by any person, or the summary of the discussion of any matter, is included for the purpose of context only, and no certification, express or implied, is made by the Board as to the completeness or accuracy of such statements.